



U.S. House of Representatives Committee on the Judiciary

F. James Sensenbrenner, Jr., Chairman

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News Advisory

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Contact: Jeff Lungren/Terry Shawn
202-225-2492

House Approves Bipartisan Legislation Providing Immigration Benefits to Hurricane Katrina Victims

WASHINGTON, D.C. – The House today by voice vote approved bipartisan legislation, H.R. 3827, providing immigration benefits to Hurricane Katrina victims. House Judiciary Committee Chairman F. James Sensenbrenner, Jr. (R-Wis.), who introduced this legislation with Ranking Member John Conyers, Jr. (D-Mich.), Judiciary Immigration, Border Security, and Claims Subcommittee Chairman John N. Hostettler (R-Ind.), and Judiciary Immigration, Border Security, and Claims Subcommittee Ranking Member Sheila Jackson Lee (D-Tex.), made the following statement during today's House debate:

“Madame Speaker, Hurricane Katrina has devastated the lives of hundreds of thousands of individuals living along the Gulf Coast. This population includes legal aliens who may now face hardships under our immigration laws as a result of being displaced by the storm, or – worse yet – due to the loss of a loved one. Today we have the opportunity to provide humanitarian relief to these hurricane victims by passing H.R. 3827.

“I have worked with Ranking Member Conyers to develop this legislation to help law-abiding aliens and their families avoid unfair consequences and get back on their feet. It is similar to the relief we provided in the USA PATRIOT Act in 2001 for legal immigrant victims of September 11.

“I will briefly outline some of the bill's most significant provisions.

“First, this bill provides special immigrant status to individuals whose immigration petitions were nullified as a result of Hurricane Katrina. This relief would be available to aliens who were the beneficiary of an immigration petition or labor certification application before Katrina struck, if the petitioner or applicant died or was disabled, or in the case of an employment-based petition, the place of employment was destroyed.

“Grandparents of orphans are also provided special immigrant status in cases where both parents died as a result of the hurricane, if at least one of those parents was a citizen or legal permanent resident.

“The bill also allows spouses and children of citizens and legal permanent residents who died as a consequence of the hurricane to continue their petitions as if the death had not occurred. Without this relief, many spouses and children would have their visa petitions nullified. The legislation also provides similar relief for the immediate relatives of asylees and refugees who died because of the hurricane.

“Many people were displaced from their homes and stranded in other locations during and after Hurricane Katrina. As a result, there may be instances in which an alien might not be able to meet deadlines set forth in our immigration laws. This bill provides an extension of status until December 31st for non-immigrant aliens who were lawfully present on the date of the hurricane, but who were unable to timely depart the country as a consequence of Hurricane Katrina.

“H.R. 3827 also provides relief for individuals who were the recipients of immigrant visas but who were not able to use them immediately as a consequence of the hurricane. Additionally, this bill assists aliens – lawfully in the United States on student visas – by preventing them from falling out of status due to hurricane-related circumstances, provided they are re-enrolled at another qualifying school by February 1, 2006.

“Undoubtedly, some lawful aliens lost their green cards and other federally-issued work authorization documents as a result of Hurricane Katrina. In order to help these people get back on their feet as soon as possible, this bill authorizes expeditious replacement of these documents.

“Further, the bill allows employers to make jobs available to citizens and aliens who lost their work authorization documentation in the hurricane. Employers will be required to check the documents of these workers within 90 days, after the worker has received replacement documents. Individuals will be able to begin working and supporting themselves and their families, while providing sufficient time for the employee to obtain replacement documents.

“Finally, for individuals who resided in hurricane-affected regions, this legislation allows individuals to take the oath of citizenship in any federal court, without regard to residence.

“Madame Speaker, The “Immigration Relief for Hurricane Katrina Victims Act of 2005” is one more way we can help Gulf Coast residents rebuild their lives. I urge my colleagues to support this bipartisan bill.”

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